

Introduced by Senator Chesbro

February 22, 2001

An act to amend Section 1640 of, and to repeal and add Section 1642 of, the Business and Professions Code, relating to dentistry, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 573, as introduced, Chesbro. Dentistry: special permits.

Existing law, the Dental Practice Act, authorizes a person with a pending employment contract with a California dental college who meets certain requirements, including the payment of an examination fee that is deposited into the State Dentistry Fund, to apply for a special permit examination. Under the act, a person with a special permit may practice that specialty or discipline while employed full time at the dental college.

This bill would additionally authorize a person licensed to practice dentistry in another state who has a pending employment contract with a primary care clinic and who meets other designated requirements, including the payment of an examination fee, to apply for a special permit examination. The bill would authorize a person with a special permit issued under these provisions to practice that specialty or discipline while employed full time at the primary care clinic. Because the examination fee required by these provisions would be deposited into the State Dentistry Fund, which is continuously appropriated, the bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1640 of the Business and Professions
2 Code is amended to read:

3 1640. (a) Any person meeting ~~all~~ the following eligibility
4 requirements may apply for a special permit examination:

5 ~~(a) Furnishing~~

6 (1) *He or she furnishes* satisfactory evidence of having a
7 pending contract with a California dental college approved by the
8 board as a full-time professor, an associate professor, or an
9 assistant professor.

10 ~~(b) Furnishing~~

11 (2) *He or she furnishes* satisfactory evidence of having
12 graduated from a dental college approved by the board.

13 ~~(c) Furnishing~~

14 (3) *He or she furnishes* satisfactory evidence of having been
15 certified as a diplomate of a specialty board or, in lieu thereof,
16 ~~establishing~~ *establishes* his or her qualifications to take a specialty
17 board examination, or ~~furnishing~~ *furnishes* satisfactory evidence
18 of having completed an advanced educational program in a
19 discipline from a dental college approved by the board.

20 ~~(d) Paying~~

21 (4) *He or she pays* the fee for applicants for examination
22 provided by this chapter.

23 (b) *Every person to whom a special permit is issued under this*
24 *section shall be entitled to practice in the specialty or discipline in*
25 *which he or she has been examined by the board at the dental*
26 *college at which he or she is employed and its affiliated institutions*
27 *as approved by the board on the following terms and conditions:*

28 (1) *The special permitholder shall file a copy of his or her*
29 *employment contract with the board. The contract shall contain*
30 *the following provision:*

31 *That the holder understands and acknowledges that when his or*
32 *her full-time employment is terminated at the dental college, his*
33 *or her special permit will be automatically revoked and that he or*
34 *she will voluntarily surrender the permit to the board and will no*
35 *longer be eligible to practice unless or until he or she has*
36 *successfully passed the required licensure examination as*
37 *provided in Article 2 (commencing with Section 1625).*



1 (2) *The holder shall be employed as a full-time professor, an*
2 *associate professor, or an assistant professor at a California dental*
3 *college approved by the board. “Full-time employment” as used*
4 *in this section shall be considered a minimum of four days per*
5 *week.*

6 (3) *The holder shall be subject to all the provisions of this*
7 *chapter applicable to licensed dentists with the exception that the*
8 *special permit shall be renewed annually.*

9 SEC. 2. Section 1642 of the Business and Professions Code
10 is repealed.

11 ~~1642. Every person to whom a special permit is issued shall~~
12 ~~be entitled to practice in the specialty or discipline in which he or~~
13 ~~she has been examined by the board at the dental college at which~~
14 ~~he or she is employed and its affiliated institutions as approved by~~
15 ~~the board on the following terms and conditions:~~

16 (a) ~~The special permit holder shall file a copy of his or her~~
17 ~~employment contract with the board. The contract shall contain the~~
18 ~~following provision:~~

19 ~~That the holder understands and acknowledges that when his or~~
20 ~~her full-time employment is terminated at the dental college, his~~
21 ~~or her special permit will be automatically revoked and that he or~~
22 ~~she will voluntarily surrender the permit to the board and will no~~
23 ~~longer be eligible to practice unless or until he or she has~~
24 ~~successfully passed the required licensure examination as~~
25 ~~provided in Article 2 (commencing with Section 1625).~~

26 (b) ~~The holder shall be employed as a full-time professor, as~~
27 ~~associate professor, or an assistant professor at a California dental~~
28 ~~college approved by the board. “Full-time employment” as used~~
29 ~~in this section shall be considered a minimum of four days per~~
30 ~~week.~~

31 (c) ~~The holder shall be subject to all the provisions of this~~
32 ~~chapter applicable to licensed dentists with the exception that the~~
33 ~~special permit shall be renewed annually.~~

34 SEC. 3. Section 1642 is added to the Business and Professions
35 Code, to read:

36 1642. (a) Notwithstanding Section 1640, any person meeting
37 the following eligibility requirements may apply for a special
38 permit examination:



1 (1) He or she holds a valid license to practice dentistry issued
2 by another state and furnishes satisfactory evidence of that
3 licensure.

4 (2) He or she furnishes satisfactory evidence of having a
5 pending contract with a primary care clinic licensed under
6 subdivision (a) of Section 1204 of the Health and Safety Code or
7 with a primary care clinic exempt from licensure pursuant to
8 subdivision (c) of Section 1206 of the Health and Safety Code.

9 (3) He or she furnishes satisfactory evidence of having been
10 certified as a diplomate of a specialty board or, in lieu thereof,
11 establishes his or her qualifications to take a specialty board
12 examination, or furnishes satisfactory evidence of having
13 completed an advanced educational program in a discipline from
14 a dental college approved by the board.

15 (4) He or she pays the fee for applicants for examination
16 provided by this chapter.

17 (b) Every person to whom a special permit is issued under this
18 section shall be entitled to practice in the specialty or discipline in
19 which he or she has been examined by the board at the primary care
20 clinic at which he or she is employed and its affiliated institutions
21 as approved by the board on the following terms and conditions:

22 (1) The special permit holder shall file a copy of his or her
23 employment contract with the board. The contract shall contain the
24 following provision:

25 That the holder understands and acknowledges that when his or
26 her full-time employment is terminated at the primary care clinic,
27 his or her special permit will be automatically revoked and that he
28 or she will voluntarily surrender the permit to the board and will
29 no longer be eligible to practice unless or until he or she has
30 successfully passed the required licensure examination as
31 provided in Article 2 (commencing with Section 1625).

32 (b) The holder shall be employed full time at the primary care
33 clinic to provide dental services. "Full-time employment" as used
34 in this section shall be considered a minimum of four days per
35 week.

36 (c) The holder shall be subject to all the provisions of this
37 chapter applicable to licensed dentists with the exception that the
38 special permit shall be renewed annually.

39 (d) A person is not precluded from reapplying for a special
40 permit examination pursuant to this section if after the expiration



1 and voluntary surrender of a special permit, he or she obtains a
2 contract for employment with a primary care clinic described in
3 paragraph (2) of subdivision (a).

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